

Rec'd PTO 01 AUG 2005

10/524338

## IN THE UNITED STATES RECEIVING OFFICE

Applicant : Ulrike G. Munderloh  
 Serial No. : 10/524,338  
 Filed : February 11, 2005  
 Title : CULTURING ANAPLASMA

**MAIL STOP PCT**

Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

In response to the Notification of Missing Requirements mailed June 6, 2005 (copy enclosed), Applicant, as a Small Entity, submits the following:

1. A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.497(a) and (b) (2 pages);
2. A check in the amount of \$265 (\$65 for late filing of the Declaration and \$200 for the Search Fee;
3. Preliminary Amendment (8 pages);
4. Paper copy of the Sequence Listing (2 pages);
5. Computer readable copy of the Sequence Listing (1 disk); and
6. Verified Statement (1 page).

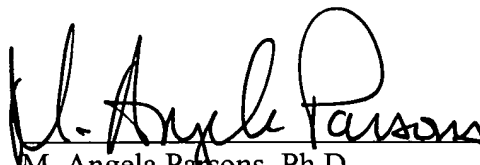
Repln. Ref: 11/23/2005 PKIDWELL 0020585800  
 DA# 061650 Name/Number: 10524338  
 FC: 8284

It is understood that this perfects the application and no additional papers or filing fees are required. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date:

August 1, 2005



M. Angela Parsons, Ph.D.  
 Reg. No. 44,282

Fish & Richardson P.C., P.A.  
 60 South Sixth Street  
 Suite 3300  
 Minneapolis, MN 55402  
 Telephone: (612) 335-5070  
 Facsimile: (612) 288-9696  
 60307387.doc

02 FC:1206

-200.00 OP

08/04/2005 GFREY1 00000142 10524338

01 FC:2617  
02 FC:120665.00 OP  
200.00 OP

CERTIFICATE OF MAILING BY EXPRESS MAIL

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August 1, 2005  
 Date of Deposit

**Best Available Copy**



## UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,338	Ulrike G Munderloh	09531-125US1
INTERNATIONAL APPLICATION NO.		
PCT/US03/25208		
I.A. FILING DATE	PRIORITY DATE	
08/12/2003	08/14/2002	

26191  
 FISH & RICHARDSON P.C.  
 PO BOX 1022  
 MINNEAPOLIS, MN 55440-1022

CONFIRMATION NO. 6945  
 371 FORMALITIES LETTER



\*OC000000016194195\*

Date Mailed: 06/06/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/11/2005
- Preliminary Amendments filed on 02/11/2005
- U.S. Basic National Fees filed on 02/11/2005
- Priority Documents filed on 02/11/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$265** for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application and a statement that

the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

- The application search fee is insufficient. Applicant must submit \$200 to complete the search fee.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,338	PCT/US03/25208	09531-125US1

FORM PCT/DO/EO/905 (371 Formalities Notice)

**BEST AVAILABLE COPY**